

**Summary of IDEM Workgroup Meeting
ANTIDEGRADATION/OSRW**

Monday, April 21, 2003

IDEM, 2525 N. Shadeland Ave., Conference Room C, Indianapolis
10:00a.m. – 3:00p.m. E.S.T.

Introduction:

On Monday, April 21, 2003, IDEM staff met for the seventh time with a wide cross-section of stakeholders which make up the Antidegradation/OSRW workgroup. These notes are intended to be a summary of the major points from the meeting held at IDEM's Shadeland offices.

The meeting was called to order by Larry Wu. Those in attendance for all or part of the meeting included: Art Umble, Bill Beranek, Bowden Quinn, Charlotte Read (by speakerphone), Dan Olson, David Pfeifer, Kent Halloran, Neil Parke, Ralph Roper, and Tom Simon.

In addition, the following IDEM staff members were present for all or part of the meeting: Dave Kallander, Dennis Clark, John Nixon, and Megan Wallace.

Summary:

The workgroup discussed the following:

1. The minutes from the March 17, 2003 meeting were approved with the following corrections:
 - A. Change 2A2 to read, "Neil thinks "necessary" is difficult to define".
 - B. Change 2B2 to read, "Tom agrees it should be water body by water body because this would be a more holistic approach than pollutant by pollutant."The minutes will be posted to the Triennial website.
2. "necessary and accommodates important economic or social development" versus "necessary to accommodate important economic and social development"
 - A. The group discussed, "necessary and accommodates important economic or social development" versus "necessary to accommodate important economic and social development", which is one of the major issues from the March 17, 2003 meeting.
 - B. The group reviewed IDEM staff proposed revisions to 327 IAC 2-1-2(b)(2) from the 1999 Second Notice.
 - C. After a lengthy discussion between Art Umble, Bill Beranek, Bowden Quinn, Charlotte Read, Dan Olson, Dave Kallander, David Pfeifer, Denny Clark, John Nixon, Neil Parke, Ralph Roper, and Tom Simon, it was mutually agreed

that the federal antidegradation language would be used word for word for that particular part of the rule.

3. “pollutant by pollutant” versus “waterbody by waterbody”
 - A. Charlotte Read asked if IDEM has the resources to do the “waterbody by waterbody” approach. Ralph Roper asks if IDEM has the resources to do the “pollutant by pollutant” approach. He says doing “pollutant by pollutant” will require a massive data gathering effort. He also thinks that it will be too confusing to have the same body of water in different “tiers” of antidegradation.
 - B. The current rule uses “pollutant by pollutant” when issuing permits.
 - C. Dave Kallander introduced a graph describing EPA’s tiered aquatic life use concept that he saw at the April 2003 National Biological Criteria and Assessment Workshop in Coeur d’Alene, Idaho. The graph represents the “condition of the biotic community” versus the “human disturbance gradient”. It creates six categories of waterbodies consisting of the following:
 1. Natural structure and function of biotic community.
 2. Minimal changes in structure and function.
 3. Evident changes in structure and minimal changes in function.
 4. Moderate changes in structure and minimal changes in function.
 5. Major changes in structure and moderate changes in function.
 6. Severe changes in structure and function.“Structure” refers to the type of biological species found, and “function” refers to the interaction of the biological species.
 - D. David Pfeifer says the graph tries to put things in perspective. The lowest two categories (5 and 6) will have their existing uses protected under Tier I antidegradation. We may want to provide extra protection for higher quality waters (1 and 2). Simple Tier II antidegradation would apply to categories 3 and 4. This is a way of sorting waterbodies.
 - E. The workgroup had a discussion about how much data IDEM has for Indiana’s waters. Tom Simon says IDEM has data from every ten (10) miles of big streams and every four (4) miles for smaller streams. Tom says this should be enough data to at least perform an index of biotic integrity (IBI) test.
 - F. Denny Clark refers to the graph Dave Kallander brought to the group’s attention. He says categories five (5) and six (6) would not have to do an antidegradation demonstration as long as the water is still meeting water quality standards. For categories one (1) and two (2), nothing will be permitted to be discharged into the water unless it will be improving the water’s quality. This leaves categories three (3) and four (4). Denny poses the question of, “How will you know what will be allowed to be discharged into the waters in these categories unless you go “pollutant by pollutant”?” You have to look at what the company is wanting to discharge and what the water already has in it. This, in a way, forces you to go “pollutant by pollutant”.

- G. Dave characterizes the graph as a “filter”. The waters in the middle categories are the waters we really need to focus on.
 - H. Charlotte Read doesn’t want the waters in categories five (5) or six (6) to be forgotten about just because they are already more degraded than the other waters.
 - I. Art Umble says that if we look at “waterbody by waterbody”, we have to know how each pollutant reacts with every other pollutant. We do not know the science behind all of those reactions; therefore, we have to do “pollutant by pollutant”.
 - J. Members of the workgroup say IDEM’s permit branch needs to be involved in this discussion. Larry will update permits staff of the workgroup’s activities and invite them to attend the meetings.
- 4. The workgroup discussed moving the meeting location back to the downtown offices now that the legislation session is over. Charlotte also asked about moving the start time from 10:00a.m. to 9:00a.m. E.S.T. for the meetings between May and October. IDEM will work to make the arrangements.
 - 5. The next meeting is scheduled for Monday, May 19, 2003. Larry says the discussion will pick up with implementation issues. Time and location are to be announced.